Post Marketing Commitments

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Post Marketing Commitments (PMCs)

Studies performed by sponsor post-approval

- Required

  1. Accelerated approval (21 CFR 314.510)

  "Clinical efficacy surrogate"

  2. Animal Efficacy Rule (21 CFR 314.600 & 601.90-95)

  "Human efficacy studies are not ethical or feasible"

  Safety assessment must involve humans

  3. Pediatric Rule (21 CFR 314.55 & 601.27)

  Pediatric studies may be deferred until a specified date

- Agreed upon by FDA & Sponsor

History of PMCs - 1

- Pre-1990s no requirement to complete
- Pre-1997 reporting requirements
  - NDAs – Annual Reports (21 CFR 314.81)
  - BLAs – None

History of PMCs - 2

1992 - Accelerated Approval

- First regulatory requirement w/ sanctions
- Demonstrate clinical benefit post-approval

1996 - Office of the Inspector General

Inadequate standards & procedures

- Monitoring & tracking of PMCs
- Determination whether PMCs met
- Procedures for timely review of PMCs

1997 FDAMA 130 [section 506b]

- Modifies 21 CFR 314.81 (NDA, ANDA)
- Creates 21 CFR 601.70 (BLA)
- Required / agreed upon; not voluntary studies
- Drugs & biologics; not medical devices
- Safety, efficacy, PK/PD, non-clinical toxicology

PMC Requirements

- Schedule of actual or projected dates
- Annual reports
- Public disclosure

Actual or Projected Dates

- Protocol submission
  - Prior to accelerated approval
  - 3 mos. post-approval for non-accelerated approvals
- Patient accrual
- Initiation of animal studies
- Milestones agreed to in PMC
- Submission of final report to FDA

PMC Annual Report

- Within 60 d of approval anniversary
- Study Status
- Number of patients enrolled to date
- Planned interim or preliminary analyses
- Revisions to study or schedule
- Agency review – 3 months

PMC Status

- Pending
- Ongoing
- Delayed
- Terminated
- Submitted

FDA Review of Final Report

- As a supplement – PDUFA goals
- As correspondence – 12 months

Public Disclosure

- Annual Federal Register Report

- FDA website identifies
  - Sponsor
  - Study
  - Status
  - Reasons, if failed to complete

Table 1.--Summary of Postmarketing Study Commitments To CBER and CDER (Numbers as of September 30, 2002)

	NDAs/ANDAs (%)	BLAs (%)
Applicants with open PMCs	126	44
Number of open PMCs	1,339	223
Status of open PMCs		
Pending	820 (61%)	67 (30%)
Ongoing	285 (21%)	102 (46%)
Delayed	25 (2%)	17 (8%)
Terminated	8 (1%)	2 (1%)
Submitted	201(15%)	35 (16%)
Concluded studies	349	52
Commitment met	240 (69%)	47 (90%)
Commitment not met	0 (0%)	1 (2%)
Study no longer needed or feasible	109 (31%)	4 (8%)
Open PMCs w/ AR due but not received	289 (22%)	77 (35%)

References

- FDA website updated quarterly, includes search capability

  www.fda.gov/cder/pmc/default.htm

- Food and Drug Administration Modernization Act of 1997 (FDAMA) section 506B

- Postmarketing Studies for Approved Human Drug and Licensed Biological Products; Status Reports (65 FR 64607)

  www.fda.gov/OHRMS/DOCKETS/98fr/103000c.htm

- Draft Guidance for Industry: Reports on the Status of Postmarketing Studies – Implementation of Section 130 of the Food and Drug Administration Modernization Act of 1997 (FDAMA) www.fda.gov/cber/gdlns/post040401.htm